

United States District Court  
Southern District of Texas  
FILED

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

JUL 09 2016

for the  
Southern District of Texas

Clerk of Court

United States of America

1 Jose GALVAN, YOB 1985, USC  
2 Juan GALVAN, YOB 1989, USC

Case No.

M-16-1299-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 8, 2016 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 554

Did knowingly and unlawfully export or attempt to export from the United States, any merchandise, article, or object, to wit: .50 caliber type semi-automatic rifle, as defined by the United States Munitions List, contrary to any law or regulation of the United States, in that the Defendants had not obtained a license or written authorization for such export, in violation of Title 22, United States Code, Sections 2278(b)(2) and 2278(c) and Title 22, Code of Federal Regulations, Sections 121, 123 and 127 all in violation of Title 18, United States Code, Section 554(a).

This criminal complaint is based on these facts:


SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

  
Complainant's signature

Rene Santos, HSI Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date: 7/9/2016
  
Judge's signature
City and state: McAllen, Texas

Dorina Ramos, U.S. Magistrate Judge  
Printed name and title

ATTACHMENT A

On July 8, 2016, Special Agents from Homeland Security Investigations and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) conducted an undercover operation which resulted in the arrest of brothers Jose GALVAN and Juan GALVAN, both U.S. citizens, after they attempted to purchase a fifty (.50) caliber semi-automatic rifle from an ATF agent (UCA) acting in an undercover capacity.

At approximately 11:30 AM, agents observed a maroon Chevrolet Silverado, bearing Texas License Plate FST 7343, arrive at the parking lot in Costco Wholesale in Pharr, Texas. The agents observed the Chevrolet Silverado park beside a vehicle driven by the ATF UCA. Jose Galvan and Juan Galvan exited the Chevrolet Silverado and approached the vehicle of the UCA. Agents observed Jose GALVAN enter the back seat of the vehicle occupied by the UCA. Once inside the vehicle Jose GALVAN inspected the .50 caliber rifle and proceeded to pay the UCA seventeen thousand dollars (\$17,000.00 USD) for the purchase of the rifle. Jose Galvan was observed taking the rifle to his vehicle, at which point agents proceeded to arrest Jose GALVAN and Juan Galvan.

During a post-Miranda warning interview Juan GALVAN stated that a man known as "Limon" who resided in Reynosa, Mexico had instructed him to negotiate and purchase the .50 caliber rifle from the UCA. Juan GALVAN also said that once he and his brother purchased the weapon Limon was going to send someone to pick up the rifle from them and smuggle it back to Mexico. Juan GALVAN said he was going to be compensated five hundred dollars (\$500.00 USD) for the transaction. GALVAN said that he knew it was illegal to smuggle firearms from the U.S. into Mexico.

Jose GALVAN stated during his post Miranda warning interview, that his brother Juan GALVAN had negotiated with Limon for the purchase of the .50 caliber rifle. Jose GALVAN stated that Juan GALVAN had given him the \$17,000.00 on Monday to keep in his house until the purchase of the rifle was made. Jose GALVAN said that the plan was to purchase the 50 caliber rifle for \$17,000.00 and sell it to Limon for nineteen thousand dollars (\$19,000.00 USD). Jose GALVAN said that once they had purchased the .50 caliber his brother Juan GALVAN was going to give it to somebody in order to be smuggled to Mexico. Jose GALVAN also said that he had inspected the .50 caliber rifle during the transaction with the UCA. Jose GALVAN stated that he was going to be compensated one thousand dollars (\$1,000.00 USD) for his help. Jose GALVAN also said that he knew it was illegal to smuggle firearms from the U.S. into Mexico.